

HISTORIC AND DESIGN REVIEW COMMISSION

December 05, 2018

HDRC CASE NO: 2018-602
ADDRESS: 315 JACKSON ST
LEGAL DESCRIPTION: NCB 775 BLK 6 LOT 4
ZONING: RM-4,HS
CITY COUNCIL DIST.: 1
LANDMARK: House
APPLICANT: Office of Historic Preservation
OWNER: Adolph Pruneda
TYPE OF WORK: Recommendation to the Building Standards Board (BSB)
APPLICATION RECEIVED: November 16, 2018
60-DAY REVIEW: January 15, 2019
REQUEST:

The applicant is requesting a recommendation to the Building Standards Board (BSB) for the repair of the primary structure at 315 Jackson St.

The City's Code Enforcement Division has determined that the structure is eligible for repair per Chapter 6-156.

APPLICABLE CITATIONS:

UDC Section 35-614 Demolition.

Demolition of a historic landmark constitutes an irreplaceable loss to the quality and character of the City of San Antonio. Accordingly, these procedures provide criteria to prevent unnecessary damage to the quality and character of the city's historic districts and character while, at the same time, balancing these interests against the property rights of landowners.

- a. Applicability. The provisions of this section apply to any application for demolition of a historic landmark (including those previously designated as historic exceptional or historic significant) or a historic district.

(3)Property Located in Historic District and Contributing to District Although Not Designated a Landmark. No certificate shall be issued for property located in a historic district and contributing to the district although not designated a landmark unless the applicant demonstrates clear and convincing evidence supporting an unreasonable economic hardship on the applicant if the application for a certificate is disapproved. When an applicant fails to prove unreasonable economic hardship in such cases, the applicant may provide additional information regarding loss of significance as provided in subsection (c)(3) in order to receive a certificate for demolition of the property.

Sec. 35-615. - Prevention of Demolition by Neglect.

(a)Applicability. In keeping with the city's minimum housing standards, the owner, or other person having legal custody and control of a designated historic landmark or structure in a local historic district shall preserve the historic landmark or structure against decay and deterioration and shall keep it free from any of the following defects:

- (1)Parts which are improperly or inadequately attached so that they may fall and injure persons or property;
- (2)Deteriorated or inadequate foundation;
- (3)Defective or deteriorated floor supports or floor supports that are insufficient to carry the loads imposed safely;
- (4)Walls, partitions, or other vertical supports that split, lean, list, or buckle due to defect or deterioration or are insufficient to carry the loads imposed safely;
- (5)Ceilings, roofs, ceiling or roof supports, or other horizontal members which sag, split, or buckle due to defect or deterioration or are insufficient to support the loads imposed safely;
- (6)Fireplaces and chimneys which list, bulge, or settle due to defect or deterioration or are of insufficient size or strength to carry the loads imposed safely;
- (7)Deteriorated, crumbling, or loose exterior stucco or mortar, rock, brick, or siding;
- (8)Broken, missing, or rotted roofing materials or roof components, window glass, sashes, or frames, or exterior doors or door frames; or
- (9)Any fault, defect, or condition in the structure which renders it Structurally unsafe or not properly watertight.

(b) Compliance. The owner or other person having legal custody and control of a designated historic landmark or structure in a local historic district shall, in keeping with the city's minimum housing standards, repair the landmark or structure if it is found to have any of the defects listed in subsection (a) of this section. In addition, the owner or other person having legal custody and control of a historic landmark or a building, object, site, or structure located in a historic district shall keep all property, including vacant property, clear of all weeds, fallen trees or limbs, debris, abandoned vehicles, and all other refuse as specified under the city's minimum housing codes and ordinances.

(c) Enforcement.

(1) The historic preservation officer and the historic and design review commission are authorized to work with a property owner to encourage maintenance and stabilization of the structure and identify resources available before taking enforcement action under this section.

(2) The historic and design review commission, on its own initiative, or the historic preservation officer may file a petition with code compliance requesting that the city proceed under the public safety and housing ordinance to require correction of defects or repairs to any structure covered by subsection (a) above so that such structure shall be preserved and protected in accordance with the purposes of this article and the public safety and housing ordinance.

(3) Penalties.

(i) A person may not violate a requirement of this article. Pursuant to Section 214.0015 (Additional Authority Regarding Substandard Buildings) of the Texas Local Government Code, a person who violates a requirement of this article commits a civil offense, and is civilly liable to the City of San Antonio in an amount not to exceed one thousand dollars (\$1,000.00) per day for each violation or an amount not to exceed ten dollars (\$10.00) per day for each violation if the property is the owner's lawful homestead. The City of San Antonio may by order assess and recover any such civil penalties against a property owner at the time of an administrative hearing regarding the violations provided the property owner was notified of the requirements of the ordinance and the owner's need to comply with the requirements and, after notification, the property owner committed an act in violation of the ordinance or failed to take an action necessary for compliance with the ordinance. The city clerk shall file with the district clerk of Bexar County a certified copy of any order issued under this subsection stating the amount and duration of the penalty. Any monies collected shall be deposited into an account as directed by the historic preservation officer for the benefit, rehabilitation or acquisition of local historic resources.

(ii) A person who violates this article commits an offense. An offense under this article is a class C misdemeanor punishable as provided in the municipal ordinances of San Antonio.

(iii) An action to enforce the requirements of this article may include injunctive relief and may be joined with enforcement of all applicable city codes.

(iv) If any building, object, site or structure covered by this subdivision shall have to be demolished as a public safety hazard and the owner thereof shall have received two (2) or more notices from the director of code compliance of building neglect in violation of this and other city ordinances, no application for a permit for a project on the property may be considered for a period of five (5) years from the date of demolition of the structure. Additionally, no permit for a curb cut needed for the operation of surface parking lot shall be granted by a city office during this period, nor shall a parking lot for vehicles be operated whether for remuneration or not on the site for a period of five (5) years from and after the date of such demolition.

Historic Design Guidelines, Chapter 2, Exterior Maintenance and Alterations

1. Materials: Woodwork

A. MAINTENANCE (PRESERVATION)

i. *Inspections*—Conduct semi-annual inspections of all exterior wood elements to verify condition and determine maintenance needs.

ii. *Cleaning*—Clean exterior surfaces annually with mild household cleaners and water. Avoid using high pressure power washing and any abrasive cleaning or striping methods that can damage the historic wood siding and detailing.

iii. *Paint preparation*—Remove peeling, flaking, or failing paint surfaces from historic woodwork using the gentlest means possible to protect the integrity of the historic wood surface. Acceptable methods for paint removal include scraping and sanding, thermal removal, and when necessary, mild chemical strippers. Sand blasting and water blasting should never be used to remove paint from any surface. Sand only to the next sound level of paint, not all the way to the wood, and address any moisture and deterioration issues before repainting.

iv. *Repainting*—Paint once the surface is clean and dry using a paint type that will adhere to the surface properly. See *General Paint Type Recommendations* in Preservation Brief #10 listed under Additional Resources for more information.

v. *Repair*—Repair deteriorated areas or refasten loose elements with an exterior wood filler, epoxy, or glue.

B. ALTERATIONS (REHABILITATION, RESTORATION, AND RECONSTRUCTION)

i. *Facade materials*—Avoid removing materials that are in good condition or that can be repaired in place. Consider exposing original wood siding if it is currently covered with vinyl or aluminum siding, stucco, or other materials that have not achieved historic significance.

ii. *Materials*—Use in-kind materials when possible or materials similar in size, scale, and character when exterior woodwork is beyond repair. Ensure replacement siding is installed to match the original pattern, including exposures. Do not introduce modern materials that can accelerate and hide deterioration of historic materials. Hardiboard and other cementitious materials are not recommended.

iii. *Replacement elements*—Replace wood elements in-kind as a replacement for existing wood siding, matching in profile, dimensions, material, and finish, when beyond repair.

2. Materials: Masonry and Stucco

A. MAINTENANCE (PRESERVATION)

i. *Paint*—Avoid painting historically unpainted surfaces. Exceptions may be made for severely deteriorated material where other consolidation or stabilization methods are not appropriate. When painting is acceptable, utilize a water permeable paint to avoid trapping water within the masonry.

ii. *Clear area*—Keep the area where masonry or stucco meets the ground clear of water, moisture, and vegetation.

iii. *Vegetation*—Avoid allowing ivy or other vegetation to grow on masonry or stucco walls, as it may loosen mortar and stucco and increase trapped moisture.

iv. *Cleaning*—Use the gentlest means possible to clean masonry and stucco when needed, as improper cleaning can damage the surface. Avoid the use of any abrasive, strong chemical, sandblasting, or high-pressure cleaning method.

B. ALTERATIONS (REHABILITATION, RESTORATION, AND RECONSTRUCTION)

i. *Patching*—Repair masonry or stucco by patching or replacing it with in-kind materials whenever possible. Utilize similar materials that are compatible with the original in terms of composition, texture, application technique, color, and detail, when in-kind replacement is not possible. EIFS is not an appropriate patching or replacement material for stucco.

ii. *Repointing*—The removal of old or deteriorated mortar should be done carefully by a professional to ensure that masonry units are not damaged in the process. Use mortar that matches the original in color, profile, and composition when repointing. Incompatible mortar can exceed the strength of historic masonry and results in deterioration. Ensure that the new joint matches the profile of the old joint when viewed in section. It is recommended that a test panel is prepared to ensure the mortar is the right strength and color.

iii. *Removing paint*—Take care when removing paint from masonry as the paint may be providing a protectant layer or hiding modifications to the building. Use the gentlest means possible, such as alkaline poultice cleaners and strippers, to remove paint from masonry.

iv. *Removing stucco*—Remove stucco from masonry surfaces where it is historically inappropriate. Prepare a test panel to ensure that underlying masonry has not been irreversibly damaged before proceeding.

6. Architectural Features: Doors, Windows, and Screens

A. MAINTENANCE (PRESERVATION)

i. *Openings*—Preserve existing window and door openings. Avoid enlarging or diminishing to fit stock sizes or air conditioning units. Avoid filling in historic door or window openings. Avoid creating new primary entrances or window openings on the primary facade or where visible from the public right-of-way.

ii. *Doors*—Preserve historic doors including hardware, fanlights, sidelights, pilasters, and entablatures.

iii. *Windows*—Preserve historic windows. When glass is broken, the color and clarity of replacement glass should match the original historic glass.

iv. *Screens and shutters*—Preserve historic window screens and shutters.

v. *Storm windows*—Install full-view storm windows on the interior of windows for improved energy efficiency. Storm window may be installed on the exterior so long as the visual impact is minimal and original architectural details are not obscured.

B. ALTERATIONS (REHABILITATION, RESTORATION, AND RECONSTRUCTION)

i. *Doors*—Replace doors, hardware, fanlight, sidelights, pilasters, and entablatures in-kind when possible and when deteriorated beyond repair. When in-kind replacement is not feasible, ensure features match the size, material, and profile of the historic element.

ii. *New entrances*—Ensure that new entrances, when necessary to comply with other regulations, are compatible in size, scale, shape, proportion, material, and massing with historic entrances.

- iii. *Glazed area*—Avoid installing interior floors or suspended ceilings that block the glazed area of historic windows.
- iv. *Window design*—Install new windows to match the historic or existing windows in terms of size, type, configuration, material, form, appearance, and detail when original windows are deteriorated beyond repair.
- v. *Muntins*—Use the exterior muntin pattern, profile, and size appropriate for the historic building when replacement windows are necessary. Do not use internal muntins sandwiched between layers of glass.
- vi. *Replacement glass*—Use clear glass when replacement glass is necessary. Do not use tinted glass, reflective glass, opaque glass, and other non-traditional glass types unless it was used historically. When established by the architectural style of the building, patterned, leaded, or colored glass can be used.
- vii. *Non-historic windows*—Replace non-historic incompatible windows with windows that are typical of the architectural style of the building.
- viii. *Security bars*—Install security bars only on the interior of windows and doors.
- ix. *Screens*—Utilize wood screen window frames matching in profile, size, and design of those historically found when the existing screens are deteriorated beyond repair. Ensure that the tint of replacement screens closely matches the original screens or those used historically.
- x. *Shutters*—Incorporate shutters only where they existed historically and where appropriate to the architectural style of the house. Shutters should match the height and width of the opening and be mounted to be operational or appear to be operational. Do not mount shutters directly onto any historic wall material.

7. Architectural Features: Porches, Balconies, and Porte-Cocheres

A. MAINTENANCE (PRESERVATION)

- i. *Existing porches, balconies, and porte-cocheres*—Preserve porches, balconies, and porte-cocheres. Do not add new porches, balconies, or porte-cocheres where not historically present.
- ii. *Balusters*—Preserve existing balusters. When replacement is necessary, replace in-kind when possible or with balusters that match the originals in terms of materials, spacing, profile, dimension, finish, and height of the railing.
- iii. *Floors*—Preserve original wood or concrete porch floors. Do not cover original porch floors of wood or concrete with carpet, tile, or other materials unless they were used historically.

B. ALTERATIONS (REHABILITATION, RESTORATION, AND RECONSTRUCTION)

- i. *Front porches*—Refrain from enclosing front porches. Approved screen panels should be simple in design as to not change the character of the structure or the historic fabric.
- ii. *Side and rear porches*—Refrain from enclosing side and rear porches, particularly when connected to the main porch or balcony. Original architectural details should not be obscured by any screening or enclosure materials. Alterations to side and rear porches should result in a space that functions, and is visually interpreted as, a porch.
- iii. *Replacement*—Replace in-kind porches, balconies, porte-cocheres, and related elements, such as ceilings, floors, and columns, when such features are deteriorated beyond repair. When in-kind replacement is not feasible, the design should be compatible in scale, massing, and detail while materials should match in color, texture, dimensions, and finish.
- iv. *Adding elements*—Design replacement elements, such as stairs, to be simple so as to not distract from the historic character of the building. Do not add new elements and details that create a false historic appearance.
- v. *Reconstruction*—Reconstruct porches, balconies, and porte-cocheres based on accurate evidence of the original, such as photographs. If no such evidence exists, the design should be based on the architectural style of the building and historic patterns.

FINDINGS:

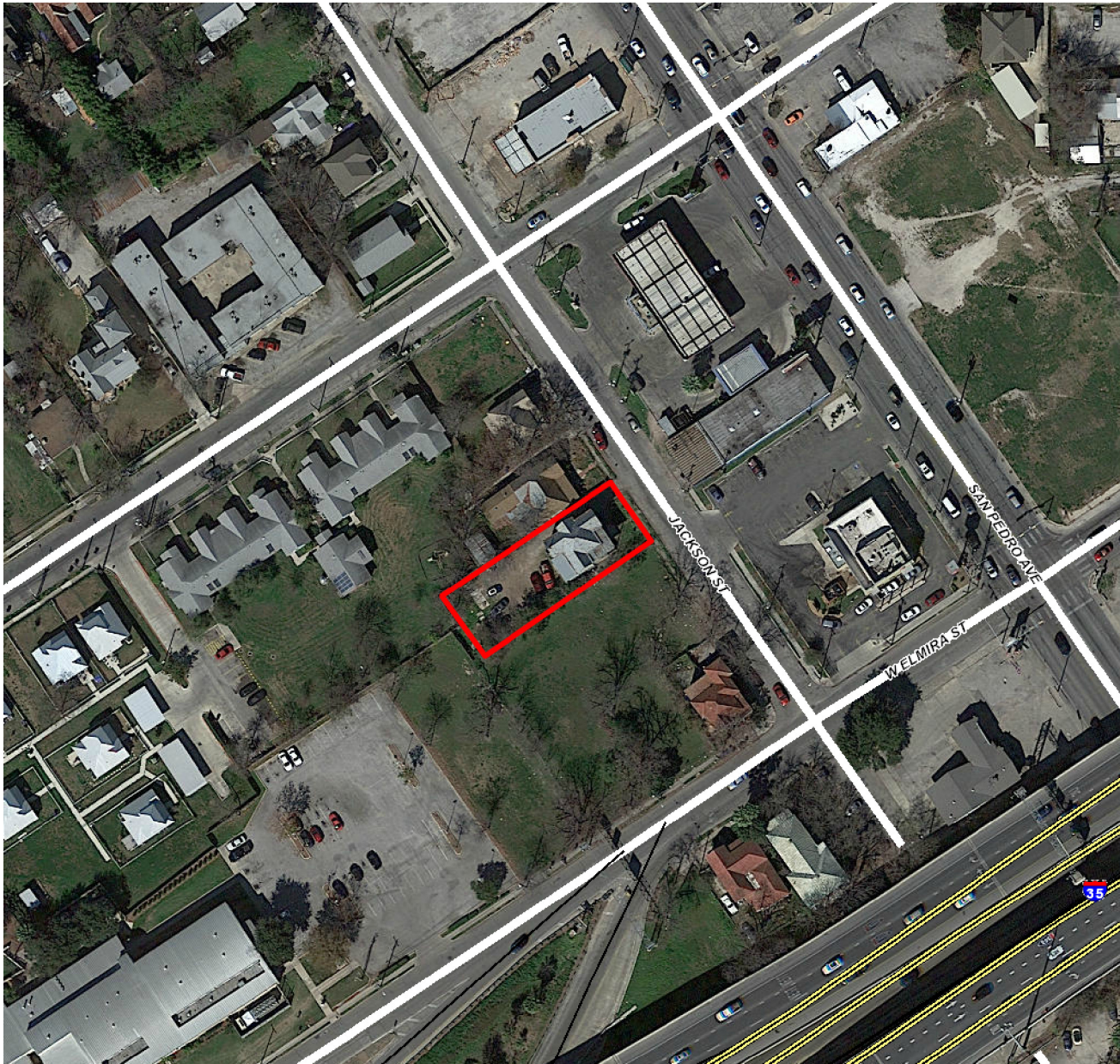
- a. The primary structure located at 315 Jackson St is a 2-story residential structure constructed in approximately 1928 in the Queen Anne style. The home features woodlap siding, a primary hipped roof with a unique double gable on the front façade, decorative wood scalloped siding, and a 2-story asymmetrical front porch. Several modifications have occurred over the years, including single lite aluminum windows, the enclosing of openings, and installation of wrought iron columns. The structure is an individual local historic landmark, designated on August 9, 2001.
- b. The City's Code Enforcement Division has inspected the property and determined it to be eligible for repair. The Historic Design Guidelines for Exterior Maintenance and Alterations note that historic exterior elements should be preserved where they remain or replaced or reconstructed in-kind of damaged. When new materials are needed, they should match the existing materials in color, configuration, durability, and texture. The repair and replacement of stucco, wood trim, wooden porch elements, and roofing elements is eligible for administrative approval. The repair and reconstruction of original wood windows is also eligible for administrative approval.

RECOMMENDATION:

Staff recommends repair of the existing historic structure based on findings a and b. The Certificate of Appropriateness for repair of this structure is eligible for administrative approval.

CASE MANAGER:

Stephanie Phillips



Flex Viewer

Powered by ArcGIS Server

Printed: Nov 20, 2018

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Location: 315 Jackson St
File Photos

Case #: 23157934
E. Valdez # 9084





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City of San Antonio
Code Enforcement Division
Building Standards Board-Dangerous Structure Case

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Structural Condition	Add
	Delete

(Attachment A) **Structural Type**

Occupied: ☒ Yes ☐ No _____

☒ Residential ☐ Commercial

☒ Main Structure ☐ Accessory

Zoning: RM-4

Check all that apply:

Roof: Deteriorated

Type: Gable roof

Covering: Metal roof

- ☒ Roof sagging
- ☒ Roof holes/collapsed
- ☐ Ridge-board missing/damaged
- ☐ Rafters rotted/damaged
- ☐ Ceiling joist rotted/damaged

- ☒ Roof structure dilapidated
- ☒ Missing flashing
- ☒ Roof covering missing/damaged
- ☐ Missing purlins/brace/collar ties

- ☐ Engineer's letter required
- ☐ Roof Sheathing rotted/damaged
- ☒ Overhang deteriorated/rotted
- ☐ Roof trusses rotted/damaged
- ☐ Unable to access
- ☐ Fire Damage

Frame: _____

☒ **Exterior Inspection:**

- ☐ Fire damaged walls
- ☒ Siding damaged/deteriorated
- ☒ Windows damaged/broken
- ☐ Brick veneer damaged
- ☐ Stucco veneer damaged
- ☐ Chimney/Towers damaged/listing
- ☐ Structure is listing
- ☒ Lack of Weather Protection

☒ **Interior Inspection:**

- ☐ Ceiling not at required height
- ☐ Ceiling severely deflected
- ☒ Sheetrock damaged/missing
- ☒ Studs rotted/leaning
- ☐ Headers missing
- ☐ Missing double top plate
- ☒ Bottom plate rotted/damaged
- ☐ Interior walls vandalized

☒ **Floors:**

- ☒ Floor trusses rotted/damaged
- ☒ Floor has holes
- ☒ Floor joists rotten/damaged
- ☒ Floor covering damaged
- ☒ Floors uneven/unsafe
- ☐ Inadequate means of Egress
- ☐ Fire Damage--Floors

Foundation: Dilapidated

☒ **Post and Beam**

- ☒ Posts leaning
- ☒ Posts rotted/cracked
- ☒ Needs leveling
- ☐ Needs extensive repairs
- ☐ No foundation

☐ **Slab on Grade**

- ☐ Sill beams rotted/damaged
- ☐ Sill beams on grade
- ☐ Sill not bearing on support
- ☐ Slab on grade--cracks

☐ **Engineer's letter required**

- ☐ Floor joist rotted/damaged
- ☐ Floor joist not bearing correctly
- ☐ Unable to inspect
- ☐ Fire Damage

Miscellaneous: _____

- ☒ Front/rear porch damaged
- ☒ Door rotted/damaged
- ☒ Electrical system hazards
- ☐ Illegal installation-Electrical/Plumbing
- ☒ Plumbing system hazards
- ☒ Water leaks
- ☐ Water meter tampered

- ☒ Front/rear steps rotted/damaged/detaching
- ☒ Missing smoke detectors
- ☒ Exposed wires
- ☒ Broken devices/fixtures
- ☒ Insufficient receptacles/lighting outlets
- ☒ Deteriorated/damaged pipes
- ☐ Gas leak

- ☒ Missing/damaged handrails
- ☒ Missing/damaged guardrails
- ☐ Unsafe equipment
- ☐ No electrical services
- ☐ Unlawful structure
- ☐ No water service



City of San Antonio
Code Enforcement Division
Building Standards Board-Dangerous Structure Case

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Code Definitions 6-156

- ☒ 1. A door, aisle, passageway, stairway or other means of exit is not of sufficient width size or not so arranged as to provide safe and adequate means of exit in case of panic.
- ☒ 2. The walking surface of an aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn, or otherwise unsafe as to not provide safe and adequate means of exit in case of panic.
- ☐ 3. The stress in the materials, member or portion thereof, due to all dead and live loads, is more than one and one-half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose, or location.
- ☐ 4. A portion of the structure/building has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.
- ☒ 5. A portion, member or appurtenance of the structure/building is likely to fall, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
- ☐ 6. A portion of the building or member, appurtenance, or ornamentation of the exterior thereof is not of sufficient strength or stability, or not so anchored, attached, or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the Building Code for new buildings of similar structure, purpose, or location without exceeding the working stresses permitted in the Building Code for such buildings.
- ☐ 7. The building or structure, or a portion thereof because of: (I) dilapidation, deterioration, or decay; (II) faulty construction; (III) the removal, movement, or instability of any portion of the ground necessary to support such a building; (IV) the deterioration, decay, or inadequacy of its foundation; or (V) any other cause, is likely to partially or completely collapse.
- ☒ 8. The building or structure, or a portion thereof, is manifestly unsafe for the purpose for which it is being used.
- ☐ 9. The exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.
- ☐ 10. The building or structure, exclusive of the foundation, shows thirty-three (33) percent or more damage or deterioration of its supporting member or members, or fifty (50) percent damage or deterioration of its non-supporting members, or fifty (50) percent damage or deterioration of enclosing or outside walls or coverings.
- ☐ 11. The building or structure has been so damaged by fire, wind, earthquake, or flood, or has become so dilapidated, deteriorated, or neglected as to become a harbor for vagrants or criminals.
- ☐ 12. The building or structure had been contracted, exists or is maintained in violation of the city's minimum housing standards or technical building codes to the extent violation poses a threat or potential threat to life, health, safety or property.
- ☐ 13. The building or structure is used for dwelling purposes and because of inadequate maintenance, dilapidation, decay, damage, faulty construction, arrangement, inadequate light, air, or sanitation facilities, has been determined by the health director, to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease.
- ☐ 14. The building or structure because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electrical wiring, gas connections or heating apparatus, or other mechanical, structural, or social cause, has been determined by the fire chief to be a fire hazard.
- ☒ 15. The building is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.
- ☐ 16. A portion of the building or structure has remained for a period of time on a site after the demolition or destruction of the building or structure, and was not approved for partial demolition by the BSB or the department of building inspections in its permitting process.
- ☐ 17. The building or structure, is unoccupied by its owner, lessee, or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered by children.
- ☐ 18. The building or structure is secured by a means inadequate to prevent unauthorized entry or use in the manner described in condition subsection (17) above.

***RECOMMENDATION:** Repair

***Code and Chapter:** 6-157



City of San Antonio
Code Enforcement Division
Building Standards Board-Dangerous Structure Case

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Authorized by:

Dangerous Premises Officer: **Elisa Valdez (DSD)** Date: 11/01/2018